

HOUSE BILL 1561
By Briley

AN ACT to amend Tennessee Code Annotated, Title
4, Chapter 3, relative to transportation.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 4, Chapter 3, Part 23, is amended by
adding the following language as a new, appropriately designated section:

Section 4-3-2306.

(a) This act shall be known and may be cited as the "Tennessee
Department of Transportation Policy and Procedure Review Act".

(b) Within one hundred eighty (180) days of the effective date of this act,
the comptroller of the treasury shall begin conducting a performance audit of the
department of transportation consisting of a review of all departmental policies
and procedures relating to:

- (1) Long term and short term planning of transportation projects;
- (2) Project selection and prioritization;
- (3) Processes for selecting the location of routes for highway or
road projects;
- (4) Bidding, awarding, and administering contracts for
engineering and construction projects;

(5) Considerations of environmental impacts and environmental compliance of transportation projects; and

(6) Public participation opportunities in project selection and design.

(c) The audit shall inventory the policies and procedures referenced in subsection (b) and shall determine the extent to which the department is conducting its operations consistent with these policies and procedures.

(d) The comptroller shall prepare and submit a report documenting its audit findings for consideration of the house and senate transportation committees within one (1) year of the effective date of this act.

(e) The audit report, including a copy of all the policies and procedures within the scope of subsection (b), shall be submitted to the office of the attorney general and reporter. Within one hundred eighty (180) days of receipt of the audit report, the attorney general shall review and determine the extent to which any policy or procedure examined under subsection (b) constitutes a "rule" as defined in § 4-5-102(10).

(f) The attorney general shall submit its findings to the house and senate transportation committees with recommendations to correct legal deficiencies identified, if applicable.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.